



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.[MD].No.11695 of 2018

- 1.Kadarkaraivel
- 2.Madasamy
- 3.Subramanian
- 4.Dhanasekaran
- 5.Velusamy
- 6.Chandramohan
- 7.Shanmuganathan
- 8.Senthurpandi
- 9.Thangathai
- 10.Muniyasamy
S/o.Chelliah
- 11.Muniyasamy
S/o.Chinnamuthu
- 12.Selvaraj
- 13.Guruvel

: Petitioners/Accused No.1 to 8,
A.10, A12 to A15

Vs.

- 1.The State Represented its
Inspector of Police,
Anti Land Grabbing Cell,
Thoothukudi, Thoothukudi District.
(Crime No.44/2013)

: 1st Respondent/Complainant

- 2.Joseph Paul Sahaya Nesan

: 2nd Respondent/
Defacto Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to call for the records of the case in Crime No.44 of 2013 on the file of the first respondent Police and quash the same.

For Petitioners : Mr.R.Murugan

For R-1 : Mr.M.Chandra Sekaran
Additional Public Prosecutor

For R-2 : Mr.M.Chinnathambi

ORDER

The Criminal Original Petition has been filed to quash the proceedings in Crime No.44 of 2013, on the file of the respondent police, for an alleged offences under Sections 420, 468, 471 and



2. The case is still in the stage of investigation. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3 A Joint Memo of Compromise has been filed before this Court which have been signed by the petitioners and the second respondent and also by their respective counsel. The petitioners and the second respondent were also present in person before this Court and they were identified by Mr.A.Kathirvelu, Special Sub-Inspector of Police, Anti Land Grabbing Cell, Thoothukudi. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4. Under such circumstances, no useful purpose will be served in keeping the First Information Report pending. Even though, the offences involved are not compoundable in nature. In the light of the guidelines given by the Hon'ble Supreme Court reported in 2017 9 SCC 641-(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrat), this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the First Information Report in Crime No.44 of 2013.

5. This Criminal Original Petition stands allowed and as a sequel, the proceedings in Crime No.44 of 2013, on the file of the respondent police, is quashed and the terms of Joint Memo of Compromise shall form part and parcel of this order. All the petitioners are put together to pay a sum of Rs.5,000/- (Rupees Five Thousand only) as costs, to the credit of the Chief Justice Relief Fund (payable in Accounts Section of the High Court Registry), within a period of one week from the date of receipt of a copy of this order and file a photocopy of the receipt along with a memo reporting compliance in the Registry.

Sd/-

Assistant Registrar(T&P)

/True Copy/

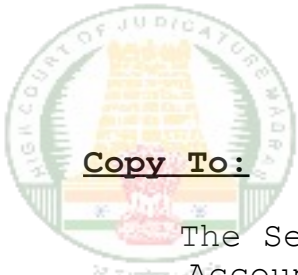
Sub Assistant Registrar(CS-IV)

Encl: Xerox copy of Joint Compromise Memo.

To

1.The Inspector of Police,
Anti Land Grabbing Cell,
Thoothukudi, Thoothukudi District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

**Copy To:**

The Section Officer,
Accounts Section,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.R.Murugan, Advocate in sr.no.80054.

LS

DS RSK SAR-4 03.10.2018 3P/5C

Cr1.O.P.[MD].No.11695 of 2018
24.08.2018